

CAUSE NO. 2015-CI-13112

TUATLUDFL, INC. d/b/a KTA SERVICES	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
v.	§	45TH JUDICIAL DISTRICT
	§	
	§	
NICE GROUP USA, INC.,	§	
	§	
Defendant.	§	BEXAR COUNTY, TEXAS

**SUBPOENA DUCES TECUM FOR THE PRODUCTION OF BUSINESS RECORDS TO
THE ENVIRONMENTAL PROTECTION AGENCY AS TO
TUATLUDFL, INC. d/b/a KTA SERVICES**

THE STATE OF TEXAS

**TO: Custodian of Records of the Environmental Protection Agency, EPA Region 6 Main
Office, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.**

Greetings:

YOU ARE COMMANDED TO produce and permit inspection and copying of the documents and/or tangible things in your possession, custody or control, as identified in Attachment "A" attached hereto, which was served on all parties and the person to whom this subpoena is addressed. The requested documents are to be produced at the following time and place:

Time: October 17, 2016 at 10:00 a.m., or 14 days after the service of this subpoena.

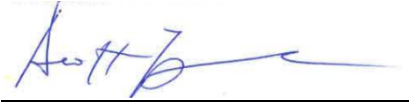
Place: Scott Yackey, 1717 Main Street, Suite 4200, Dallas, Texas 75201

FAILURE TO OBEY THIS SUBPOENA MAY BE TREATED AS A CONTEMPT OF COURT. TEXAS RULE OF CIVIL PROCEDURE 176.8(a) PROVIDES AS FOLLOWS: Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena is issued or a district court in the county in which the subpoena is served, and may be punished by fine or confinement, or both.

This subpoena is issued at the request of Defendant Nice Group USA, Inc. whose attorneys of record are Victor C. Johnson, Zachary Hoard and Scott Yackey, Dykema Cox Smith, 1717 Main Street, Suite 4200, Dallas, Texas 75201.

Date of Issuance: October 3, 2016.

SUBPOENA ISSUED BY:

A handwritten signature in blue ink, appearing to read "Scott E. Yackey", is written over a horizontal line.

Scott E. Yackey
Attorney for Defendant Nice Group USA, Inc.
Texas State Bar No. 24100052

MEMORANDUM OF ACCEPTANCE

I accepted service of a copy of this subpoena on _____, 2016.

Authorized Representative of
the Environmental Protection Agency

RETURN OF SUBPOENA

I certify that I served the attached subpoena by delivering a copy and the required fee of
\$ _____ to _____ [name of witness] in person, at
_____ [address] on
_____, 2016 at _____ a.m./p.m. My fee for this
service is \$ _____.

_____ [signature]
By. _____ [typed name]
Title: _____

Attachment A

Documents Requested:

1. Any and all emails between EPA employee Kenneth AuBuchon and Robert Melenzyer during the last four years on the EPA email account for Kenneth AuBuchon (*e.g.*, aubuchon.kenneth@epa.gov).
2. Any and all attachments to any and all emails between Kenneth AuBuchon and Robert Melenzyer during the last four years on the EPA email account for Kenneth AuBuchon (*e.g.*, aubuchon.kenneth@epa.gov).
3. Any and all emails between Kenneth AuBuchon and any third-party discussing Tuatludfl, Inc. or KTA Services during the last four years on the EPA email account for Kenneth AuBuchon (*e.g.*, aubuchon.kenneth@epa.gov).
4. Any and all emails between Kenneth AuBuchon and any third-party discussing Nice Group USA, Inc. during the last four years on the EPA email account for Kenneth AuBuchon (*e.g.*, aubuchon.kenneth@epa.gov).